

Effective 5/13/2014

4-2-8.5 Salinity Offset Fund.

- (1) As used in this section, "Colorado River Salinity Offset Program" means a program, administered by the Division of Water Quality, allowing oil, gas, or mining companies and other entities to provide funds to finance salinity reduction projects in the Colorado River Basin by purchasing salinity credits as offsets against discharges made by the company under permits issued by the Division of Water Quality.
- (2)
 - (a) There is created an expendable special revenue fund known as the "Salinity Offset Fund."
 - (b) The fund shall consist of:
 - (i) money received from the Division of Water Quality that has been collected as part of the Colorado River Salinity Offset Program;
 - (ii) grants from local governments, the state, or the federal government;
 - (iii) grants from private entities; and
 - (iv) interest on fund money.
- (3)
 - (a) The department shall:
 - (i) subject to the rules established under Subsection (3)(a)(ii), distribute fund money to farmers, ranchers, mutual irrigation companies, and other entities in the state to assist in financing irrigation, rangeland, and watershed improvement projects that will, in accordance with the Colorado River Salinity Offset Program, reduce salinity in the Colorado River; and
 - (ii) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, make rules establishing:
 - (A) a project funding application process;
 - (B) project funding requirements;
 - (C) project approval criteria; and
 - (D) standards for evaluating the effectiveness of funded projects in reducing salinity in the Colorado River.
 - (b) The department may require entities seeking fund money to provide matching funds.
 - (c) The department shall submit to the Division of Water Quality proposed funding projects for the division's review and approval.
 - (d) The Division of Water Quality and the department shall establish a committee to review and approve projects, as funding allows.
- (4)
 - (a) Except as provided in Subsection (4)(b), the department may use fund money for the administration of the fund, but this amount may not exceed 10% of the receipts to the fund.
 - (b) The department may not use earned interest for administration of the fund.

Amended by Chapter 411, 2014 General Session